

McKinney	Price (NC)	Stearns
McNulty	Pryce (OH)	Strickland
Meehan	Quinn	Stupak
Meek (FL)	Rahall	Sununu
Meeks (NY)	Ramstad	Sweeney
Menendez	Rangel	Talent
Millender-	Regula	Tancredo
McDonald	Reyes	Tanner
Miller (FL)	Reynolds	Tauscher
Miller, Gary	Rivers	Tauzin
Miller, George	Rodriguez	Taylor (MS)
Mink	Roemer	Thompson (MS)
Moakley	Rogan	Thurman
Mollohan	Rohrabacher	Tierney
Moore	Ros-Lehtinen	Toomey
Moran (VA)	Rothman	Towns
Morella	Roukema	Trafigant
Murtha	Roybal-Allard	Udall (CO)
Myrick	Royce	Udall (NM)
Nadler	Rush	Upton
Napolitano	Ryan (WI)	Velazquez
Neal	Sabo	Vento
Northup	Sanchez	Visclosky
Nussle	Sanders	Walden
Oberstar	Sawyer	Walsh
Obey	Saxton	Waters
Olver	Schakowsky	Watt (NC)
Ortiz	Scott	Waxman
Ose	Serrano	Weiner
Owens	Shaw	Weldon (FL)
Oxley	Shays	Weldon (PA)
Pallone	Sherman	Weller
Pascarell	Simpson	Wexler
Pastor	Sisisky	Weygand
Payne	Slaughter	Wilson
Pelosi	Smith (MI)	Wise
Petri	Smith (NJ)	Wolf
Phelps	Smith (WA)	Woolsey
Pickett	Snyder	Wu
Pombo	Spence	Wynn
Pomeroy	Spratt	Young (FL)
Porter	Stabenow	
Portman	Stark	

NOES—115

Aderholt	Goode	Pickering
Armey	Goodlatte	Pitts
Bachus	Green (TX)	Radanovich
Ballenger	Gutknecht	Riley
Barr	Hansen	Rogers
Barton	Hastings (WA)	Ryun (KS)
Bentsen	Hayes	Sandlin
Blunt	Hayworth	Sanford
Boehner	Herger	Scarborough
Bonilla	Hill (MT)	Schaffer
Boucher	Hilleary	Sensenbrenner
Bryant	Hilliard	Sessions
Burr	Hostettler	Shadegg
Burton	Hulshof	Sherwood
Buyer	Hunter	Shimkus
Callahan	Istook	Shows
Cannon	Jenkins	Shuster
Chabot	Johnson, Sam	Skeen
Chambliss	Jones (NC)	Skelton
Chenoweth	Kingston	Smith (TX)
Coble	Largent	Souder
Coburn	Lewis (KY)	Stenholm
Collins	Linder	Stump
Combest	Lucas (KY)	Taylor (NC)
Condit	Lucas (OK)	Terry
Cooksey	Manzullo	Thompson (CA)
Cramer	McCrery	Thornberry
Crane	McIntyre	Thune
Cubin	Metcalf	Tiahrt
Danner	Mica	Turner
Deal	Moran (KS)	Vitter
DeLay	Nethercutt	Wamp
DeMint	Ney	Watkins
Doolittle	Norwood	Watts (OK)
Duncan	Packard	Whitfield
Emerson	Paul	Wicker
Everett	Pease	Young (AK)
Ganske	Peterson (MN)	
Gibbons	Peterson (PA)	

NOT VOTING—8

Brown (CA)	Kaptur	Salmon
Frost	Lewis (CA)	Thomas
Houghton	Minge	

So the amendment was agreed to.

¶67.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CUNNINGHAM:

At the end of the bill, insert the following:

TITLE —COMMUNITY PROTECTION ACT

SEC. 1. SHORT TITLE.

This title may be cited as the “Community Protection Act of 1999”.

SEC. 2. EXEMPTION OF QUALIFIED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

“§926B. Carrying of concealed firearms by qualified law enforcement officers

“(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

“(b) This section shall not be construed to supersede or limit the laws of any State that—

“(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

“(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

“(c) As used in this section, the term ‘qualified law enforcement officer’ means an employee of a governmental agency who—

“(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;

“(2) is authorized by the agency to carry a firearm;

“(3) is not the subject of any disciplinary action by the agency; and

“(4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm.

“(d) The identification required by this subsection is the official badge and photographic identification issued by the governmental agency for which the individual is, or was, employed as a law enforcement officer.”.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 926A the following:

“§926B. Carrying of concealed firearms by qualified law enforcement officers.”.

SEC. 3. EXEMPTION OF QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is further amended by inserting after section 926B the following:

“§926C. Carrying of concealed firearms by qualified retired law enforcement officers

“(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

“(b) This section shall not be construed to supersede or limit the laws of any State that—

“(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

“(2) prohibit or restrict the possession of firearms on any State or local government

property, installation, building, base, or park.

“(c) As used in this section, the term ‘qualified retired law enforcement officer’ means an individual who—

“(1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

“(2) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

“(3)(A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 5 years or more; or

“(B) retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

“(4) has a nonforfeitable right to benefits under the retirement plan of the agency;

“(5) during the most recent 12-month period or, if the agency requires active duty officers to do so with lesser frequency than every 12 months, during such most recent period as the agency requires with respect to active duty officers, has completed, at the expense of the individual, a program approved by the State for training or qualification in the use of firearms; and

“(6) is not prohibited by Federal law from receiving a firearm.

“(d) The identification required by this subsection is photographic identification issued by the State in which the agency for which the individual was employed as a law enforcement officer is located.”.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is further amended by inserting after the item relating to section 926B the following:

“§926C. Carrying of concealed firearms by qualified retired law enforcement officers.”.

It was decided in the { Yeas 372
affirmative } Nays 53

¶67.8

[Roll No. 237]

AYES—372

Abercrombie	Borski	Cunningham
Ackerman	Boswell	Danner
Aderholt	Boucher	Davis (FL)
Andrews	Boyd	Davis (VA)
Archer	Brady (PA)	Deal
Armey	Brown (FL)	DeFazio
Bachus	Brown (OH)	DeGette
Baird	Bryant	Delahunt
Baker	Burr	DeLauro
Baldacci	Burton	DeLay
Baldwin	Buyer	DeMint
Ballenger	Callahan	Deutsch
Barcia	Calvert	Diaz-Balart
Barr	Camp	Dickey
Barrett (NE)	Canady	Dicks
Barrett (WI)	Cannon	Dingell
Bartlett	Capps	Dixon
Barton	Cardin	Doggett
Bass	Carson	Dooley
Bateman	Castle	Doolittle
Becerra	Chabot	Doyle
Bentsen	Chambliss	Dreier
Bereuter	Clement	Duncan
Berkley	Clyburn	Edwards
Berman	Coble	Ehlers
Berry	Coburn	Ehrlich
Biggert	Collins	Emerson
Bilbray	Combest	English
Bilirakis	Condit	Etheridge
Bishop	Cook	Evans
Blagojevich	Cooksey	Everett
Bliley	Costello	Ewing
Blumenauer	Cox	Farr
Blunt	Coyne	Filner
Boehlert	Cramer	Fletcher
Boehner	Crane	Foley
Bonilla	Crowley	Forbes
Bonior	Cubin	Ford
Bono	Cummings	Fossella

Fowler	Lazio	Rogan
Frank (MA)	Leach	Rogers
Franks (NJ)	Levin	Ros-Lehtinen
Frelinghuysen	Lewis (KY)	Roukema
Gallegly	Linder	Roybal-Allard
Ganske	Lipinski	Royce
Gejdenson	LoBiondo	Ryan (WI)
Gekas	Lofgren	Ryun (KS)
Gephardt	Lowe	Sabo
Gibbons	Lucas (KY)	Sanchez
Gilchrest	Lucas (OK)	Sanders
Gillmor	Luther	Sandlin
Gilman	Maloney (CT)	Sanford
Gonzalez	Maloney (NY)	Sawyer
Goode	Manzullo	Saxton
Goodlatte	Markey	Scarborough
Goodling	Martinez	Sessions
Gordon	Mascara	Shadegg
Goss	Matsui	Shaw
Graham	McCarthy (MO)	Shays
Granger	McCarthy (NY)	Sherman
Green (TX)	McCollum	Sherwood
Green (WI)	McGovern	Shimkus
Greenwood	McHugh	Shows
Gutierrez	McInnis	Shuster
Gutknecht	McIntosh	Simpson
Hall (OH)	McIntyre	Sisisky
Hall (TX)	McKeon	Skeen
Hansen	McNulty	Skelton
Hastings (FL)	Meehan	Slaughter
Hastings (WA)	Menendez	Smith (NJ)
Hayes	Metcalfe	Smith (TX)
Hayworth	Mica	Smith (WA)
Hefley	Millender-	Snyder
Heger	McDonald	Souder
Hill (IN)	Miller, Gary	Spence
Hill (MT)	Moakley	Spratt
Hilleary	Mollohan	Stabenow
Hilliard	Moore	Stearns
Hinche	Moran (KS)	Stenholm
Hinojosa	Moran (VA)	Strickland
Hobson	Morella	Stump
Hoefel	Murtha	Stupak
Hoekstra	Myrick	Sununu
Holden	Nadler	Sweeney
Holt	Neal	Talent
Hooley	Nethercutt	Tancredo
Horn	Ney	Tanner
Hostettler	Northup	Tauzin
Hoyer	Norwood	Taylor (MS)
Hulshof	Nussle	Taylor (NC)
Hunter	Oberstar	Terry
Hutchinson	Obey	Thompson (CA)
Hyde	Oliver	Thompson (MS)
Inslee	Ortiz	Thornberry
Isakson	Ose	Thune
Istook	Packard	Thurman
Jackson-Lee	Pallone	Tiahrt
(TX)	Pascrell	Toomey
Jefferson	Pastor	Trafigant
Jenkins	Pease	Turner
John	Peterson (MN)	Udall (CO)
Johnson (CT)	Peterson (PA)	Udall (NM)
Johnson, Sam	Petri	Upton
Jones (NC)	Phelps	Vento
Jones (OH)	Pickering	Vitter
Kanjorski	Pickett	Walden
Kasich	Pitts	Walsh
Kelly	Pombo	Wamp
Kennedy	Pomeroy	Watkins
Kildee	Porter	Watts (OK)
Kind (WI)	Portman	Weiner
King (NY)	Price (NC)	Weldon (FL)
Kingston	Pryce (OH)	Weldon (PA)
Klecza	Quinn	Weller
Klink	Radanovich	Weygand
Knollenberg	Rahall	Whitfield
Kucinich	Ramstad	Wicker
Kuykendall	Rangel	Wilson
LaHood	Regula	Wise
Lampson	Reyes	Wolf
Lantos	Reynolds	Wu
Largent	Riley	Wynn
Larson	Rivers	Young (AK)
Latham	Rodriguez	Young (FL)
LaTourette	Roemer	

NOES—53

Allen	Jackson (IL)	Miller (FL)
Brady (TX)	Johnson, E. B.	Miller, George
Campbell	Kilpatrick	Mink
Capuano	Kolbe	Napolitano
Chenoweth	LaFalce	Owens
Clay	Lee	Oxley
Clayton	Lewis (GA)	Paul
Conyers	McCrery	Payne
Davis (IL)	McDermott	Pelosi
Engel	McKinney	Rohrabacher
Eshoo	Meek (FL)	Rothman
Fattah	Meeks (NY)	Rush

Schaffer	Stark	Waters
Schakowsky	Tauscher	Watt (NC)
Scott	Tierney	Waxman
Sensenbrenner	Towns	Wexler
Serrano	Velazquez	Woolsey
Smith (MI)	Visclosky	

NOT VOTING—9

Brown (CA)	Houghton	Minge
Dunn	Kaptur	Salmon
Frost	Lewis (CA)	Thomas

So the amendment was agreed to.

¶67.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MCCOLLUM:

At the end of the bill, insert the following:

SEC. ____ PROHIBITING JUVENILES FROM POSSESSING SEMIAUTOMATIC ASSAULT WEAPONS.

Section 922(x) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “or” at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by adding at the end the following:

“(C) a semiautomatic assault weapon; or

“(D) a large capacity ammunition feeding device.”;

(2) in paragraph (2)—

(A) by striking “or” at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by inserting at the end the following:

“(C) a semiautomatic assault weapon; or

“(D) a large capacity ammunition feeding device.”; and

(3) by striking paragraph (3) and inserting the following:

“(3) This subsection shall not apply to—

“(A) a temporary transfer of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile or to the temporary possession or use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon by a juvenile—

“(i) if the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon are possessed and used by the juvenile—

“(I) in the course of employment,

“(II) in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch),

“(III) for target practice,

“(IV) for hunting, or

“(V) for a course of instruction in the safe and lawful use of a firearm;

“(ii) clause (i) shall apply only if the juvenile’s possession and use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon under this subparagraph are in accordance with State and local law, and the following conditions are met—

“(I) except when a parent or guardian of the juvenile is in the immediate and supervisory presence of the juvenile, the juvenile shall have in the juvenile’s possession at all times when a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon is in the possession of the juvenile, the prior written consent of the juvenile’s parent or guardian who is not prohibited by Federal, State, or local

law from possessing a firearm or ammunition; and

“(II)(aa) during transportation by the juvenile directly from the place of transfer to a place at which an activity described in clause (i) is to take place the firearm shall be unloaded and in a locked container or case, and during the transportation by the juvenile of that firearm, directly from the place at which such an activity took place to the transferor, the firearm shall also be unloaded and in a locked container or case; or

“(bb) with respect to employment, ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon with the prior written approval of the juvenile’s parent or legal guardian, if such approval is on file with the adult who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition and that person is directing the ranching or farming activities of the juvenile;

“(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon in the line of duty;

“(C) a transfer by inheritance of title (but not possession) of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile; or

“(D) the possession of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon taken in lawful defense of the juvenile or other persons in the residence of the juvenile or a residence in which the juvenile is an invited guest.

“(4) A handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection, shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon is no longer required by the Government for the purposes of investigation or prosecution.

“(5) For purposes of this subsection, the term ‘juvenile’ means a person who is less than 18 years of age.

“(6)(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant’s parent or legal guardian at all proceedings.

“(B) The court may use the contempt power to enforce subparagraph (A).

“(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

“(7) For purposes of this subsection only, the term ‘large capacity ammunition feeding device’ has the same meaning as in section 921(a)(31) of title 18 and includes similar devices manufactured before the effective date of the Violent Crime Control and Law Enforcement Act of 1994.”.

It was decided in the { Yeas 354
affirmative Nays 69

¶67.10 [Roll No. 238]
AYES—354

Abercrombie	Allen	Archer
Ackerman	Andrews	Armey